

# MINUTES OF THE CITY COUNCIL OF LAUREL

April 6, 2010

A regular meeting of the City Council of the City of Laurel, Montana, was held in the Council Chambers and called to order by Mayor Ken Olson at 6:30 p.m. on April 6, 2010.

COUNCIL MEMBERS PRESENT:	Emelie Eaton	Doug Poehls
	Kate Hart	Mark Mace
	Chuck Rodgers	Chuck Dickerson
	Alex Wilkins	Norm Stamper

COUNCIL MEMBERS ABSENT: None

OTHER STAFF PRESENT:	Mary Embleton	James Caniglia
	Sam Painter	Kurt Markegard
	Bill Sheridan	Derek Yeager

Mayor Olson led the Pledge of Allegiance to the American flag.

Mayor Olson asked the council to observe a moment of silence.

## MINUTES:

Motion by Council Member Wilkins to approve the minutes of the regular meeting of March 16, 2010, as presented, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

## CORRESPONDENCE:

Montana Department of Transportation: Letter of March 8, 2010, regarding Community Transportation Safety Plan Assistance Program.

Montana Department of Commerce: Letter of March 12, 2010, regarding Final Project Closeout – Treasure State Endowment Program (TSEP) for the City of Laurel Wastewater Improvements.

Montana Municipal Interlocal Authority: Risk Management Bulletin #05-09 regarding Community Technical Assistance Program (CTAP).

Tim Casey: Letter regarding location option for bulk water resale.

## PUBLIC HEARING:

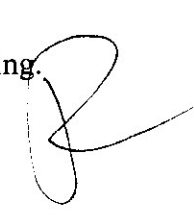
- Ordinance No. O10-02: An ordinance amending Section 5.08.040 of the Laurel Municipal Code titled "Contractor's License and Bond Requirements" located at Chapter 5 of the Laurel Municipal Code. (First reading – 03/16/2010)

Mayor Olson asked Sam Painter to present the issue to the council.

Sam stated that the ordinance was distributed to the city council members. Staff is attempting to clarify in Chapter 5 of the city code exactly how a contractor comes into Laurel and what they have to provide to get a city business license. The major change requires contractors to provide proof that they are a licensed Montana state contractor, proof that they have commercial general liability insurance of \$1 million and automobile license insurance. These things have not been requested before. If the contractor does not have those things, the city will not issue a business license. A previous requirement for a \$5,000 bond payable to the City of Laurel will be removed from the ordinance, thereby taking the city out of the business of getting in between a private contract between a contractor and a homeowner or a business owner. Instead, the city is requiring the contractor to show he or she is a legitimate contractor and possesses all the required insurance coverage in order to better protect the citizens.

Mayor Olson asked if there were any questions from the council. There were none.

Mayor Olson opened the public hearing and read the rules governing the public hearing.



Mayor Olson asked three times if there were any proponents. There were none.

Mayor Olson asked three times if there were any opponents. There were none.

The second reading of Ordinance No. O10-02 will be on the April 20<sup>th</sup> council agenda.

**CONSENT ITEMS:**

- **Claims for the month of March 2010 in the amount of \$620,189.80.**  
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 03/21/2010 totaling \$160,318.81.**
- **Receiving the Committee Reports into the Record.**
  - Budget/Finance Committee minutes of March 16, 2010 were presented.
  - Council Workshop minutes of March 30, 2010 were presented.
  - Emergency Services Committee minutes of March 22, 2010 were presented.
  - Laurel Urban Renewal Agency minutes of March 1, 2010 were presented.
  - Laurel Airport Authority minutes of February 23, 2010 were presented.

The mayor asked if there was any separation of consent items. There was none.

Motion by Council Member Hart to approve the consent items as presented, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

**CEREMONIAL CALENDAR:**

- Employer Support of the Guard and Reserves (ESGR)

Mayor Olson introduced Mark Ahner, who represents the Employer Support of the Guard and Reserves.

Mark Ahner stated that the Employer Support of the Guard and Reserve is a Department of Defense Volunteer Organization. There are about 35 representatives in the State of Montana that try to encourage employers and employees to work together. Montana has a lot of guardsmen and reservists. Many of those guardsmen and reservists are not only spending the two weeks of annual training and the monthly weekend of training, but now a lot of employees are being deployed overseas to Iraq, Afghanistan, and other places in the world. It has become crucial that employers support the guardsmen and reservists who have to leave their families, leave their communities, and leave their place of employment for a year or 18 months. Mr. Ahner was in the military for 30 years, some in active duty, but mostly in the National Guard in Montana. He spent 27 years in the Guard in Montana, so he knows what was expected of him as a soldier and the time commitment he had to make. He serves on the city council in Miles City, where there are currently four Guardsmen and Reservists in the police department. He understands the difficulty that municipalities and other employers have to reschedule and make difficult adjustments. Mr. Ahner stated that he was asked to make this Statement of Support for the Guard and Reserve presentation to the City of Laurel tonight. He asked Council Member Wilkins, who serves in the National Guard, to come forward at this time. Mr. Ahner read the following Statement of Support for the Guard and Reserve.

**Statement of Support for the Guard and Reserve**

We recognize the National Guard and Reserve are essential to the strength of our nation and the well-being of our communities.

In the highest American tradition, the patriotic men and women of the Guard and Reserve serve voluntarily in an honorable and vital profession. They train to respond to their community and their country in time of need. They deserve the support of every segment of our society.

If these volunteer forces are to continue to serve our nation, increased public understanding is required of the essential role of the Guard and Reserve in preserving our national security.

Therefore, we join other employers in pledging that:

- We fully recognize, honor and enforce the Uniformed Services Employment and Reemployment Rights Act (USERRA).
- Our managers and supervisors will have the tools they need to effectively manage those employees who serve in the Guard and Reserve.
- We will continually recognize and support our country's service members and their families in peace, in crisis, and in war.

Mr. Ahner stated that Mayor Olson signed the Statement of Support earlier this evening and it was also signed by the National Committee for Employer Support of the Guard and Reserve in Washington, D.C. and by Secretary of Defense Robert Gates. He applauded Laurel for its support of Guard and Reserve members and thanked the council.

Mayor Olson thanked Mr. Ahner for his presentation.

Mayor Olson asked Mary Embleton to step to the front. Mayor Olson stated that he has been affiliated with the City of Laurel for about twelve years. He served on the council for six years under Mayor Rodgers, now Council Member Rodgers, and also served under Mayor Bud Johnson. Mary had the same opportunity, as he started just a year before Mary was hired. Mayor Olson sat on the panel that interviewed when Mary was hired. Throughout the past eleven years, Mary has served with great pride to put the city first in all she did to make sure the citizens were served in the best way possible. Mayor Olson stated his appreciation for Mary's work and effort and presented her with a token of appreciation.

Mary thanked Mayor Olson and the council. She stated that they serve a tough job in the community that has a lot of potential to offer. There are going to be some tough times ahead and she knows the city will deal with the issues with wisdom and deliberation and always put the best interests of the citizens of Laurel at heart. She stated her thanks for the honor of serving and her hope that she did a good job.

**REPORTS OF BOARDS AND COMMISSIONS:** None.

**AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):** None.

**SCHEDULED MATTERS:**

• **Confirmation of Appointments:**

Laurel Volunteer Ambulance Service

Mayor Olson appointed Sean McCleary to the Laurel Volunteer Ambulance Service.

Motion by Council Member Poehls to approve the Mayor's appointment of Sean McCleary to the Laurel Volunteer Ambulance Service, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R10-33: Resolution authorizing the Mayor to execute a grant agreement with the Department of Natural Resources and Conservation for funding of the April 30, 2010 Arbor Day Celebration.**

Motion by Council Member Rodgers to approve Resolution No. R10-33, seconded by Council Member Hart. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R10-34: Resolution of support for the May 1-2, 2010 City of Laurel Clean-up Day.**

Motion by Council Member Eaton to approve Resolution No. R10-34, seconded by Council Member Poehls. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R10-35: A resolution of the City Council authorizing the Mayor to sign an agreement with Williston Basin Interstate Pipeline Company.**

Motion by Council Member Mace to approve Resolution No. R10-35, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R10-36: A resolution approving Change Order No. 6 for Phase II of the Laurel Water System Improvements Project for electrical work at the Water Treatment Plant and authorizing the Mayor to execute the attached Change Order No. 6 on the City's behalf.**

Motion by Council Member Dickerson to approve Resolution No. R10-36, seconded by Council Member Stamper. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R10-37: A resolution of the City Council requesting the Montana Department of Transportation (MDT) reconsider its West Laurel Interchange Project in regard to the timing of the south extension of the interstate over the railroad tracks.**

Motion by Council Member Stamper to approve Resolution No. R10-37, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Letter of Support for Community Transportation Safety Plan Assistance Program.**

Motion by Council Member Wilkins to approve the Letter of Support for the Community Transportation Safety Plan Assistance Program, seconded by Council Member Rodgers. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

**ITEMS REMOVED FROM THE CONSENT AGENDA:** None.

**COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):** None.

**COUNCIL DISCUSSION:**

- **Review of Monthly Reports: Police, Fire, Ambulance, and Code Enforcement:** None.

Council Member Poehls wished Mary good luck and stated that it has been a pleasure working with her.

Council Member Mace thanked Mary for everything.

Council Member Mace requested an update on the project by the underpass, as asphalt is being manufactured at this time. It is difficult for pedestrians to negotiate at that intersection.

Council Member Dickerson wished Mary the best of luck and stated that he hopes everything works out for her.

Council Members Stamper, Wilkins, Rodgers, Hart and Eaton also thanked Mary and wished her good luck.

Council Members Rodgers and Eaton thanked Alex Wilkins for his participation in the Armed Services.

Mayor Olson stated appreciation for Mary's work and thanked her for her service to the City of Laurel.

Mayor Olson thanked Alex Wilkins for his service as a Reservist and stated that the military must be proud of his effort.

**UNSCHEDULED MATTERS:**

Mary again thanked the council and the city.

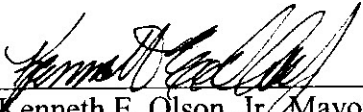
**ADJOURNMENT:**

Motion by Council Member Hart to adjourn the council meeting, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

There being no further business to come before the council at this time, the meeting was adjourned at 6:58 p.m.

  
Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 20<sup>th</sup> day of April, 2010.

  
Kenneth E. Olson, Jr., Mayor

Attest:

  
Cathy Gabrián, Deputy Clerk